

ENTERED

February 02, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

VS.

1.959 ACRES OF LAND, more or less, in
Starr County, Texas; et al.,

Defendants.

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CIVIL ACTION NO. 7:20-cv-00323

ORDER

The Court now considers “Plaintiff’s Unopposed Motion for a Continuance of the Joint Discovery/Case Management Plan and the Initial Pretrial and Scheduling Conference Pursuant to FED. R. CIV. P. 26(f)” filed twice on February 1, 2021.¹ The Court notes that the United States filed two identical motions.² Accordingly, the Court **STRIKES** the second motion.³ The Court now turns the initial motion.⁴

On December 4, 2020, the Court ordered parties to appear on February 16, 2021, for an initial pretrial and scheduling conference and to file a joint discovery/case management plan by February 5, 2021.⁵ The United States seeks to continue these dates for at least sixty days in light of newly inaugurated President Biden’s January 20th proclamation directing numerous heads of executive agencies to “pause work on each construction project on the southern border wall” and

¹ Dkt. Nos. 17 & 18.

² See Dkt. Nos. 17 & 18.

³ Dkt. No. 18.

⁴ Dkt. No. 17.

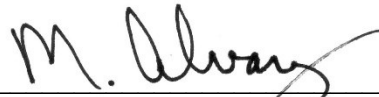
⁵ Dkt. No. 9.

to “develop a plan for the redirection of funds concerning the southern border wall . . . within 60 days” from January 20th.⁶

The Court finds good cause in the parties’ request that this eminent domain proceeding be abated while the United States develops its plan concerning the southern international border and associated land use. The Court **GRANTS** Plaintiff’s motion⁷ and continues the initial pretrial conference previously scheduled for February 16th to **April 13, 2021, at 9:00 a.m.** Parties shall file a joint discovery/case management plan no later than **April 2, 2021.**

IT IS SO ORDERED.

DONE at McAllen, Texas, this 2nd day of February 2021.

A handwritten signature in black ink, appearing to read 'M. Alvarez', is written over a horizontal line.

Micaela Alvarez
United States District Judge

⁶ Dkt. No. 17 at 2–3 (quoting Pres. Proc. No. 10142, 86 Fed. Reg. 7225 (Jan. 20, 2021)).

⁷ Dkt. No. 17.